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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling 2 pages including recited attachments, is being transmitted via facsimile to the United States Patent and Trademark Office at facsimile nos. (571) 273-0299 (BPAI Hearings), and (571) 273-8300 (USPTO Central Fax) on the below date:

Date: September 20, 2006 Name: Joseph A. Yosick Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: James Warren RUDOLPH

BPAI Appeal No.

Appn. No.: 10/776,395

2006-2409

Attorney Docket No: 4865-185

Client Ref. 1980037

TRANSMITTAL

Board of Patent Appeals and Interferences
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached are:

Transmittal Letter; Notice of Hearing Confirmation.
 No additional fee is required.
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=	
					Total	\$	Total	\$

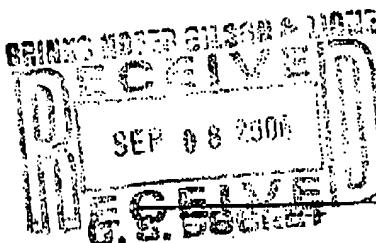
Fee payment:

Please charge Deposit Account No. 23-1925 in the amount of \$0.
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

Joseph A. Yosick (Reg. No. 51,082)
Attorney for Appellant



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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

Appeal No: 2006-2409
 Appellant: James Warren Rudolph
 Application No: 10/776,395
 Hearing Room: A
 Hearing Docket: B
 Hearing Date: Wednesday, October 18, 2006
 Hearing Time: 01:00 PM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: Board of Patent Appeals and Interferences
 United States Patent and Trademark Office
 P.O. BOX 1450
 Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: HEARING ATTENDANCE CONFIRMED HEARING ATTENDANCE WAIVED

Joseph A. Lys
 Signature of Attorney/Agent/Appellant

9/20/06
 Date

51,062
 Registration No.

Names of other visitors expected to accompany counsel: O
 For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/web/offices/com/counsel/contact.htm#bpa>